



146.1377.

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
A. PEYMAN et al
Serial No.: 10/030,301
Filed: December 31, 2001
For: NATHTHYRIDINE...THEM

600 Third Avenue
New York N.Y. 10016
April 4, 2002

RESPONSE

Asst. Commissioner for Patents
Washington, D.C. 20231


Sir:

Responsive to the notice of missing formalities dated March 27, 2002, it should be noted that the filing of the application was completed on March 20, 2002 as can be seen from the copy of the return receipt card filed herewith. Also enclosed is a copy of the notice.

In addition, the notice further required a sequence listing in paper form and a diskette. It should be noted that this is an improper requirement since there are no nucleotide and/or amino acid sequence disclosed in the application. The application is directed to compounds of Formula I which is not a nucleotide or amino acid sequence. Therefore, this requirement was improperly issued and withdrawal of the same is requested.

Since the filing of the application is complete, it is requested that the application be forwarded to the group for examination in due course.

Respectfully submitted,
Bierman, Muserlian and Lucas

By: 
Charles A. Muserlian #19,683
Attorney for Applicants
Tel.# (212) 661-8000

CAM:ds
Enclosures

146.1377

March 20, 2002

CM:ds

In re Application of, A. PEYMAN et al

Serial No.: 10/030,301

Filed: December 31, 2001

For: MATHEHYRIDINT...COMPRISING THEM

Received: Completion of application ltr. 3 pgs each

Executed PCT Declarations (2, (3 pgs)

PTO Form-1595 & exec. assign. (3 pgs)

PTO Form-2038 (1 pg)

PTO Form-1595 & exec. assign. (3 pgs)

CM:ds



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box P-1
 United States Patent and Trademark Office
 Washington, D.C. 20235
 www.uspto.gov

U.S. APPLICATION NUMBER NO	FIRST NAMED APPLICANT	ATTY DOCKET NO
10/030,301	Anuschirvan Peyman	146.1377

INTERNATIONAL APPLICATION NO	
PCT/EP00/05920	
IA FILING DATE	PRIORITY DATE
06/26/2000	07/02/1999

 20311
 BIERMAN MUSERLIAN AND LUCAS
 600 THIRD AVENUE
 NEW YORK, NY 10016

 RECEIVED
 APR 11 2002

BIERMAN, MUSERLIAN AND LUCAS

CONFIRMATION NO. 8950

371 FORMALITIES LETTER



OC00000007707317

Date Mailed: 03/27/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

May 27, 02
 (+17) June 27
 (+27) July 27
 (+37) Aug 27
 (+47) Sep 27, 02

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR

THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO	INTERNATIONAL APPLICATION NO	ATTY DOCKET NO
10/030,301	PCT/EP00 05920	146.1377

FORM PCT/DO/EO/905 (371 Formalities Notice)